

The Gaotic of India

सत्यमेव जयते

PUBLISHED BY AUTHORITY

No. 1] NEW DELHI, SATURDAY, APRIL 29, 1950

PART II—Section 4

Statutory Rules and Orders issued by the Ministry of Defence

MINISTRY OF DEFENCE

New Delhi, the 29th April 1950

S.R.O.1.—In exercise of the powers conferred by Section 31 of the Cantonments Act 1924 (II of 1924), the Central Government is pleased to direct that the following further amendments shall be made in the Cantonments Electoral Rules, 1945, the same having been previously published as required by the said Section, namely:—

1. For rule 3 in the said Rules the following rule shall be substituted, namely:—

"3. Constituencies.—The number of members to be elected from the Cantonments specified in the Second Schedule and the Third Schedule and the number of seats if any, in such Cantonment which are reserved for members belonging or not belonging to a specified community or communities shall be as specified in respect of each Cantonment in Column 3 of the said Schedules."

2. For the Second and Third Schedules the following Schedules shall be substituted, respectively, namely:—

"THE SECOND SCHEDULE

(Rule 3)

1	2	3 Number of mem- bers (including one repre- sentative of the Sche- duled and De- pressed Classes) to be elected
Serial No.	Cantonments	
1 Agra	7
2 Ahmednagar	7
3 Allahabad	6
4 Amravati	7
5 Benares	4
6 Baroily	5

1	2	3
Serial No.	Cantonments	Number of mem- bers (including one representa- tive of the Sche- duled and De- pressed Classes) to be elected
7	Barrackpore	8
8	Belgaum	6
9	Dehra Dun	4
10	Delhi	7
11	Deolali	7
12	Dinapore	5
13	Fatehgarh	4
14	Ferozepore	7
15	Fyzabad	4
16	Jhansi	5
17	Jubbulpore	7
18	Jullundur	7
19	Kamptee	4
20	Kanpur	7
21	Kassauli	5
22	Kirkee	7
23	Lansdowne	4
24	Lucknow	7
25	Meerut	7
26	Nasirabad	7
27	Pachmarhi	4
28	Poona	7
29	Ramgarh	7
30	Ranikhet	4
31	St. Thomas Mount-cum-Pallavaram	6
32	Saugor	7
33	Shillong	4
34	Wellington	5"

“THE THIRD SCHEDULE

(Rule 3)

1 Serial No.	2 Cantonments	3 Number of mem- ber(s) to be elected
1	Ahmedabad	1
2	Almora	1
3	Amritsar	1
4	Bakloh	1
5	Cannanore	1
6	Chakrata	1

1	2	3
Serial No.	Cantonments	Number of mem- ber(s) to be elected
7	Clement Town	1
8	Dagshai	1
9	Dalhousie	1
10	Jalapahar	1
11	Jutogh	1
12	Landour	1
13	Lebong	1
14	Mathura	1
15	Nainital	1
16	Roorkee	1
17	Shajahanpur	1
18	Subathu	1"

[98/1/G/D.8(a)/47.]

S.R.O. 2.—The following bye-laws for regulating the control of rickshaws plying for hire and the grant of licenses to proprietors or drivers of such rickshaws in the Agra Cantonment, made by the Cantonment Board, Agra, in exercise of the powers conferred by clauses (25), (26) and (27) of section 282, and section 283 of the Cantonments Act, 1924 (II of 1924), are published for general information, the same having been previously published, approved and confirmed by the Central Government is required by sub-section (1) of Section 284 of the said Act, namely:—

Bye-laws.

1. In these bye-laws, unless the context otherwise requires —
 - (a) "rickshaw" means a tricycle of a special type for carrying passengers propelled by human labour.
 - (b) "driver" means the person who propels a rickshaw.
2. The Executive Officer shall be the Licensing Officer and any officer authorised by the Cantonment Board, shall act as Licensing Inspector for the purpose of these bye-laws.
3. No person shall keep any rickshaw for his own use or permit any rickshaw of which he is the owner to ply for hire, within the limits of the Cantonment except under a license granted in this behalf by the Cantonment Board.
4. A license under bye-law 3 shall, on an application of the proprietor of a rickshaw and on payment of a fee of rupees twelve per annum, be issued by the licensing Officer, in the form specified in the Appendix to these rules.
5. No licence under bye-law 4 shall be granted unless the rickshaw has been approved by the Executive Officer and complies with the following conditions, namely:—
 - (a) that it is not more than 5 feet wide over all,
 - (b) that it is in good order and repair in all its parts,
 - (c) that it is provided with three lights (one in front and two lights one on each side of the rickshaw on the mud guards) (ii) a red reflector at the rear; (iii) cycle klaxon horn; (iv) pneumatic tyres; (v) one effective brake and (vi) a leather or canvas hood and cushions; (vii) mechanism in good state of repair and (viii) a complete repair out-fit.

6. Licenses issued under bye laws 4 shall be numbered serially and the number of the License shall be printed on a conspicuous part of the rickshaw to which the license relates.

7. The number of persons to be carried in a licensed rickshaw shall not exceed two with 10 seers of luggage in the aggregate.

Explanation.—For the purpose of this bye law, two children each less than twelve years of age, shall be reckoned as one person.

8. Licences for rickshaw to ply for hire shall be granted on the following conditions.—

- (a) that the licensee shall keep the rickshaw clean and in good repair,
- (b) that the licensee shall not carry or permit to be carried in the rickshaw, persons exceeding the number specified in bye law 7,
- (c) that the licensee shall not permit any person to propel the rickshaw, who has not been licensed for such purpose under bye law 10,
- (d) that the licensee shall not demand any fare in excess of the maximum fare specified in the Schedule appended to these bye laws,
- (e) on a demand made by any person at any time of the day or night while the rickshaw is plying for hire, the licensee shall not without reasonable cause, the burden of proving which shall be on him, refuse to let on hire the rickshaw with a driver to propel it,
- (f) that the licensee shall cause to be affixed on a conspicuous part of the rickshaw the license granted in respect of such rickshaw and a copy of the authorised table of rates,
- (g) that should the licensee carry or permit to be carried in the rickshaw any person who is suffering from any infectious or contagious disease, or the corpse of any person who has died of such disease, he shall immediately after termination of his engagement for such purpose, inform the fact to the Executive Officer, and shall not subsequently carry any other passenger in such rickshaw whether for hire or otherwise, until such rickshaw has been disinfected to the satisfaction of the Executive and a certificate has been granted by him stating that it can be used without causing risk of infection,
- (h) that the licensee shall immediately cause to be returned to the owner, if known, or to be deposited at the nearest police station any property left by the passenger in the rickshaw,
- (i) that the licensee shall for the purpose of inspection permit the Licensing Officer, a Licensing Inspector or any person specially authorised by the Executive Officer in this behalf, to enter upon the premises where any rickshaw is kept and shall also get the rickshaw inspected by any of such officers in the Cantonment Board Office, within 24 hours of the notice to do so or at such intervals as may be notified by the Licensing Officer,
- (j) that for the breach of any of these conditions the license may be suspended or cancelled by the Licensing Officer,

Provided that a rickshaw kept within an adjoining municipal limits and licensed by the Municipal Board may bring passengers from the municipal area into the Cantonment limits.

9. No person shall propel a licensed rickshaw for hire except under a licence to be granted in this behalf by the Executive Officer.

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10 A licence to propel a licensed rickshaw for hire shall, on payment of a fee of rupees two per annum, be issued by the Licensing Officer in the form specified in the Appendix.

Provided that the Licensing Officer may refuse to grant a licence to any person if in his opinion the person applying for a licence is unfit to propel a rickshaw or is under 20 years of age.

Provided further that no such licence shall be issued or renewed unless the person concerned has been medically examined and passed every quarterly by the Medical Officer in Charge, Cantonment Board Hospital as fit to propel a rickshaw.

11 A licence to propel a licensed rickshaw for hire shall be subject to the following conditions—

- (a) that the licensee shall always when propelling a licensed rickshaw carry with him his licence and shall, on demand, produce it for inspection by any person hiring such rickshaw or by the Executive Officer or any employee of the Cantonment Board authorised in this behalf. The licence shall contain a bust photograph of the licensee (driver) which shall be supplied by him at his own cost;
- (b) that the licensee shall always when propelling a licensed rickshaw, wear on his arm the metal badge which shall be supplied to him at the cost of rupees four by the Cantonment Board, when the licence is issued to him;
- (c) that the licensee shall always, when propelling a licensed rickshaw, wear a shirt, trousers and cap and shall keep such clothing in a clean and tidy condition;
- (d) that the licensee shall not demand any fare in excess of the fares specified in the schedule annexed hereto;
- (e) that the licensee shall not propel a licensed rickshaw while in a state of drunkenness or while suffering from any infectious or contagious disease, and shall not, while in charge of a licensed rickshaw use insulting, abusive or obscene language or make any objectionable gesture;
- (f) that the licensee shall not carry or permit to be carried in the licensed rickshaw, persons exceeding the number specified in bye-law 7;
- (g) that the licensee shall not, when not engaged for hire park the rickshaw at any place in public street except at a stand allotted for this purpose by the Cantonment Board;
- (h) that should the licensee carry or permit to be carried in a licensed rickshaw of which he is in charge, any person who is suffering from any infectious or contagious disease or the corpse or any person who has died of such disease, he shall immediately after the termination of his engagement for such purpose, informate the fact to the Executive Officer and shall not subsequently carry any other passenger in such rickshaw, whether for hire or otherwise, until such rickshaw has been disinfected to the satisfaction of the Executive Officer and a certificate has been granted stating that it can be used without causing risk of infection;
- (i) that the licensee shall not without reasonable cause, the burden of proving which shall lie upon him, refuse to let on hire or to propel a licensed rickshaw of which he is in charge if any person demands it;
- (j) that for a breach of these conditions the license may be suspended or cancelled by the Licensing Officer.

12. The maximum fare to be charged for the hire of rickshaws and for persons engaged to propel them, shall be in accordance with the Schedule annexed to these bye-laws.

19. Penalty.—Any person committing a breach of any of these bye-laws shall, on conviction by a Magistrate, be punishable with fine which may extend to fifty rupees and, in the case of a continuing breach with an additional fine which may extend to five rupees for every day during which such breach continues after conviction for the first such breach.

(No.12/9/G/L & C/50).

SCHEDULE OF RATES FOR THE HIRE OF LICENSED RICKSHAW

[See bye-Law 8 (d) and 11 (d).]

	Rs. AS. PS.
(1) By time :--	
(a) For the first hour	0 10 0
(b) For the second hour	0 8 0
(c) For each subsequent hour or part thereof	0 4 0
(2) By distance : .	
From Cantt. to the Railway station or <i>vice versa</i> within 3 miles	0 8 0
From the Cantt. to Taj and back within 3 miles	1 8 0
From the Cantt. to Taj single journey	0 8 0
From the Cantt. to Sikandra and back within 4 miles	3 0 0
From the Cantt. to Sikandra single journey	1 4 0
From the Cantt. to Dyal Bagh and back within 4 miles	2 0 0
From the Cantt. to Dyal Bagh single journey	0 12 0
From the Cantt. to Atmadaddola and back within 3 miles	1 12 0
From the Cantt. to Atmadaddola single journey	0 10 0
From the Cantt. to Fort and back within 3 miles	1 4 0
From the Cantt. to Fort single journey	0 8 0
From the Cantt. to Jumma Masjid	0 6 0

APPENDIX

Rickshaw (Vehicle) Licence, Agra Cantt.

Dated 19,

Receipt No.

No issued

Licensee's (Owner's) name

Father's name

Residence

Description of Rickshaw

Period of Licence

Amount paid Rs

Licensing Officer (Executive Officer),
Agra Cantonment.

CONDITIONS

Photograph of the driver

Driving or propelling Licence for Rickshaw plying on hire in Agra Cantonment.

No. of Licence

Licensee's name

Father's name

Age

Residence

Period of Licence

Amount paid Rs.

Vide Receipt No.

Dated

This Licence has been granted in accordance with the conditions*.

Licencing Officer (Executive Officer),
Agra Cantonment.

OFFICE OF THE CANTONMENT BOARD,
AGRA;

Dated

19 . .

Renewed for the year.

Signatures of Licencing Officer.

1949-50.

Receipt No.

Dated

L.O.

1950-51

Receipt No.

Dated

L.O.

1951-52

Receipt No.

Dated

L.O.

1952-53

Receipt No.

Dated

L.O.

*Stated in the Rules 5 to 12 of the Agra Cantonment Board, Bye-laws regulating the control of Rickshaw plying for hire in that Cantt.

S.R.O.3.—The following amendments in the bye-laws for the collection and recovery of cattle market fees in the cattle market of Jhansi Cantonment made by the Cantonment Board Jhansi, in exercise of the powers conferred by clauses (8) and (13) of Section 282 and Section 283 of the Cantonments Act, 1924 (II of 1924) published with the Notification of the Government of the United Provinces No. 2733/XI-28C-1924, dated the 14th November 1924, are hereby published for general information, the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of Section 281 of the said Act, namely:—

In the said bye-laws—

- (1) In bye law No. 1, after clause (c), the following clause shall be added, namely:—
“(d) “Dalal” means a person who, not being a seller or a purchaser of cattle, carries on the business of a broker in relation to transaction of sale or purchase of cattle, on payment of a commission.”
- (2) After bye-law No. 13, the following bye law shall be added, namely:—
“14. No person shall work as a Dalal in the Cantonment cattle market.”
- (3) In the clause providing for penalty for the words and figures “bye-law 6 of these bye-laws” the following words and figures shall be substituted, namely:—
“bye-laws 6 or 14 of these bye-laws”.

(No. 12/10/G/L & C/50).

S.R.O.4.—In exercise of the powers conferred by sub-section (1) of Section 19 of the Cantonments Act, 1924 (II of 1924) the Central Government is pleased to accept the resignation of Shri Nand Ram Thapa, an elected member of Dehra Dun Cantonment.

Now, in pursuance of the provisions of sub-section (7) of Section 19 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify that a vacancy has occurred in Dehra Dun Cantonment.

FURTHERMORE, in exercise of the powers conferred by sub-section (2) of Section 16 of the Cantonments Act, 1924 (II of 1924) the Central Government is pleased to fix the 81st May 1950 as the date on which casual election shall be held in Dehra Dun Cantonment to fill up the above vacancy.

S.R.O.5.—In exercise of the powers conferred by sub-section (4) of Section 26 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to direct that the existing electoral roll in Dehra Dun Cantonment shall continue in operation until the new roll is prepared in accordance with the Rules.

(No. 29/1/G/L & C/50)

H. M. PATEL, Secy